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Attorneys for Plaintiff-Counterclaim Defendant
NETAPP, INC.,

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NETWORK APPLIANCE, INC.,
Plaintiff-Counterclaim Defendant,
v.
SUN MICROSYSTEMS, INC.
Defendant-Counterclaim Plaintiff.

Case No. C 07-06053-EDL

**DECLARATION OF JILL J. HO IN
SUPPORT OF NETAPP, INC.'S
OPPOSITION TO DEFENDANT SUN
MICROSYSTEMS, INC.'S MOTION FOR
PARTIAL STAY**

1 I, Jill J. Ho, declare:

2 1. I am an attorney duly admitted to practice before this Court and an associate with
3 the law firm Weil, Gotshal & Manges LLP, counsel of record for NetApp, Inc. ("NetApp"). The
4 matters referred to in this declaration are based on my personal knowledge and if called as a
5 witness I could, and would, testify competently to those matters.

6 2. Both NetApp and Sun Microsystems, Inc. ("Sun") are working diligently to
7 prepare their respective cases in this litigation.

8 3. Both parties made their initial disclosures under Rule 26 of the Federal Rules of
9 Civil Procedure as well as their required disclosures under Patent L.R. 3-2 and 3-4.

10 4. Both parties have already served interrogatories and responses thereto. Indeed,
11 NetApp is currently preparing its responses to Sun's second set of interrogatories.

12 5. Both parties have already served requests for production and responses thereto.
13 Indeed, NetApp is currently preparing its responses to Sun's third set of requests for production.

14 6. Counsel have met and conferred regarding document production and are on the
15 verge of producing documents. Rolling production of documents is likely to begin in the next
16 few weeks.

17 7. Both parties have already noticed depositions for the first two weeks of May.

18
19 I declare under penalty of perjury that the foregoing is true and correct to the best of my
20 knowledge and belief.

21
22 Executed on April 29, 2008 at Redwood Shores, California.

23
24 */s/ Jill J. Ho*

25 Jill J. Ho